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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): P. Bonutti and M. Brillhart

Confirmation No. 8742

Application No.: 10/630,321

Attorney Docket No: 780-A02-015-10

Filed: July 30, 2003

Group Art Unit: 3731

For: SURGICAL DEVICES HAVING A POLYMERIC
MATERIAL WITH A THERAPEUTIC AGENT
AND METHODS FOR MAKING SAME

Examiner: G. Jackson

**INFORMATION DISCLOSURE STATEMENT
PURSUANT TO 37 C.F.R. § 1.56**Commissioner for Patents
Alexandria, VA 22313

09/07/2005 TL0111 00000022 10630321

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Sir:

In accordance with the duty of disclosure provisions of C.F.R. § 1.56, there is hereby provided certain information, which the Examiner may consider material to the examination of the subject U.S. patent application. It is requested that the Examiner make this information of record if it is deemed material to the examination of the application.

A revised Form PTO/SB/08 listing all patents, publications, applications, or other information submitted for consideration is enclosed. Copies of the listed U.S. Patents and Published U.S. Patent Applications, are not being submitted pursuant to the USPTO's waiver of the requirement of 37 C.F.R. § 1.98(a)(2)(i).

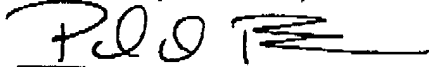
Enclosures accompanying this Information Disclosure Statement are: (a) copy of the cited foreign patent applications.

No admission is made that the information cited in this Statement is, or is considered to be prior art, material to patentability nor a representation that a search has been made.

The \$180.00 fee set forth in 37 C.F.R. §1.17 (p) in accordance with 37 C.F.R. §1.97 (c). The required fee is being paid via enclosed Credit Card Payment PTO Form 2038. Please charge any required fee (or credit any overpayments of fees) to the Deposit Account of the undersigned, Account No. 503410.

Dated: Sept 6, 2005

Respectfully submitted,



Paul D. Bianco (Reg. No. 43,500)

Attorney for Applicant

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PTO/SB/08A (10-96)

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-Substitute for form 1449A/PTO				Complete If Known		
INFORMATION DISCLOSURE STATEMENT IN AN APPLICATION (use as many sheets as necessary)				Application Number		
				10/630,321		
				Filing Date		
				July 30, 2003		
				First Named Inventor		
P. Bonutti			Group Art Unit			
3731			Examiner Name			
G. Jackson			Attorney Docket Number			
780-A02-01510			Sheet 1 of 2			

U.S. PATENT DOCUMENTS						
Examiner Initials	Cite No. ¹	U.S. Patent Document Number	Kind Code ² (if known)	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	AA	3,678,980		Gutshall	07/25/1972	
	AB	3,711,347		Wagner et al.	01/16/1973	
	AC	4,089,071		Kahnberz et al	05/16/1978	
	AD	4,213,816		Morris	07/22/1980	
	AE	4,365,356		Broemer et al	12/28/1982	
	AF	4,514,125		Stol	04/30/1985	
	AG	4,556,350		Bernhardt et al.	12/03/1985	
	AH	4,599,085		Riess et al	07/08/1986	
	AI	4,601,893		Cardinal	07/22/1986	
	AJ	4,657,460		Bien	04/14/1987	
	AK	4,659,268		Del Mundo et al	04/21/1987	
	AL	4,776,738		Winston	10/11/1988	
	AM	4,822,224		Carl et al.	04/18/1989	
	AN	4,945,625		Winston	08/07/1990	
	AO	4,997,445		Hodorek	03/05/1991	
	AP	5,035,713		Friis	07/30/1991	
	AQ	5,051,049		Wills	09/24/1991	
	AR	5,217,493		Raad et al.	06/08/1993	
	AS	5,449,382		Dayton	09/12/1995	
	AT	5,458,653		Davison	10/17/1995	

Examiner	Date Considered
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¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIP Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to make a check mark here if English translation is provided.

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				Attorney Docket Number	780-A02-01510		
Sheet	2	of	2				

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FOREIGN PATENT DOCUMENTS								
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	BA		WO 91-12779		Wolff et al.	09/05/1991		

OTHER REFERENCES - NON PATENT LITERATURE DOCUMENTS			
Examiner Initials	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ⁶

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